

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAZZAAQ MILLER	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL ALICE, et al.	:	NO. 16-6483

ORDER

AND NOW, this 4 day of January, 2017, upon consideration of plaintiff's motion to proceed *in forma pauperis* and his *pro se* complaint, it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. The complaint is DISMISSED, pursuant to 28 U.S.C. § 1915(e)(2)(B), in accordance with this Court's memorandum. Plaintiff's claims against defendants Judge Robert P. Coleman, Jessica Chung, District Attorney's Office, and Kendra McCrae are DISMISSED with prejudice. His remaining claims are DISMISSED without prejudice to amendment as follows.
3. Plaintiff is given leave to file an amended complaint against defendants Michael Alice, Edgar Ruth, and the City of Philadelphia, within thirty (30) days of the date of this order. Any amended complaint shall identify all defendants in the caption of the pleading as required by Federal Rule of Civil Procedure 10(a), and shall state the basis of plaintiff's claims against each defendant. **Any amended complaint shall not duplicate any claims raised in *Miller v. Alice*, Civ. A. No. 14-68 (E.D. Pa.), including plaintiff's excessive force claim based on the alleged assault that took place in the course of his arrest.** Upon the filing of an amendment, the Clerk shall not make service until so ORDERED. If plaintiff fails to file an amended complaint, this case may be dismissed without further notice.

4. The Clerk shall furnish plaintiff with a blank copy of this Court's current standard form to be used by a prisoner filing an action under 42 U.S.C. § 1983 bearing the civil action number for this case. Plaintiff may use this form to file an amended complaint if he chooses to do so.

BY THE COURT:

/s/ Legrome D. Davis

LEGROME D. DAVIS, J.